IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 9TH OCTOBER 2006 / 17TH ASWINA 1928

Bail Appl..No. 5995 of 2006

---

CRIME NO.115/2004 OF PUDUNAGARAM POLICE STATION

PETITIONER/1ST ACCUSED.

---

RAMESH, S/O.RAJAN, AGED 24 YEARS,
VALAYAKKARANCHLLA, KAMMINARI, CHITTUR TALUK,
PALAKKAD DISTRICT.

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENTS:

---

STATE OF KERALA REPRESENTED BY SI OF
POLICE, PUDUNAGARAM POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**J.M.JAMES, J.**

**---**

**B.A. 5995/2006**

**---**

**DATED THIS THE 9TH DAY OF OCTOBER, 2006**

**O R D E R**

The petitioner is the first accused, in C.C.No.232/2004 on the file of the Judicial Magistrate of First Class, Chittur. He, along with others, is facing the trial for the offence punishable under Sections 448 and 353 IPC read with Section 34 IPC, in crime No.115/2004 of Pudunagaram Police Station, in the above case. The learned counsel for the petitioner submits that the petitioner is a driver by profession and he was not available in the station on the particular date of posting, viz. 21.3.2006. The counsel, on query from the Court, clarifies that the petitioner was absent on a particular day alone.

2. Though there is no material produced before me, to establish the said contention, accepting the plea of the counsel, I direct the petitioner to surrender before the Court below on 13.10.2006 at 11.a.m.

3. The learned Magistrate shall allow the petitioner to be on bail, imposing such conditions, as are deemed necessary, so that the petitioner would be available before that Court on all the posting dates and the Magistrate could dispose of the matter, without any further delay.

The application is disposed of as above.

**J.M.JAMES**
**JUDGE**

mrcs